



Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: June 8, 2017

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #25-17

CERTIFICATION DATE: June 7, 2017


TO: The Honorable Common Council of the City of Terre Haute

Dear Members,


The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 25-17. This Ordinance is a rezoning of the property located at 1400 E. Pugh Dr. The Petitioner, Steven R. and Donna J. Isbell, petitions the Plan Commission to rezone said real estate from zoning classification R-1 and C-2 to M-1, Light Industry District, for a contractor or construction office, shops, yards. The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 25-17 at a public meeting and hearing held Wednesday, June 7, 2017. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 25-17 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 25-17 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 25-17 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) Approval of a detailed Site Plan by City Engineering; 2) All business, servicing, or processing occur completely within enclosed buildings.



Fred L. Wilson, President



Jared Bayler, Executive Director

Received this 8th day of June, 2017

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #25-17

Doc: # 40

Date: June 7, 2017

Page 1 of 5

APPLICATION INFORMATION

Petitioner: Steven & Donna Isbell

Owner: Same

Representative: Thomas Clary II

Proposed Use: Contractor or Construction Office, Shops & Yards

Proposed Zoning: M-1, Light Industrial District

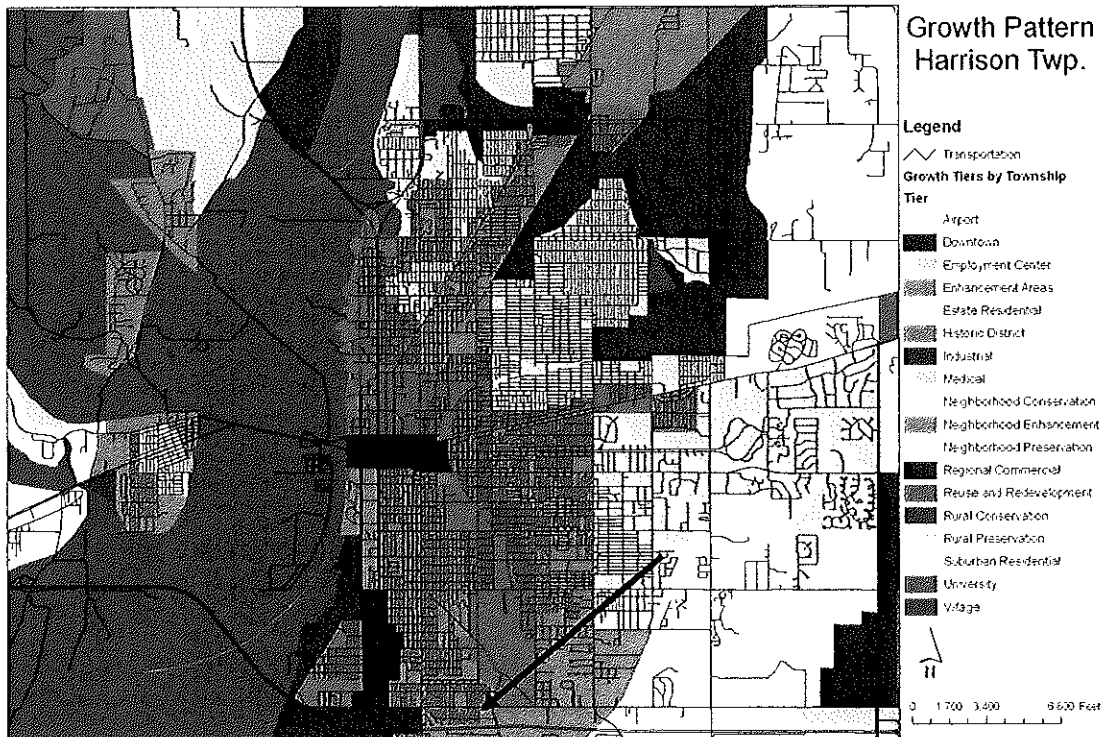
Current Zoning: R-1 & C-2,

Location: The property is located on south 13th Street approximately 100ft. south of Margaret Ave on the east side

Common Address: 1400 E. Pugh Dr. Terre Haute, IN 47802

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute



Neighborhood Enhancement Areas

Areas that qualify as Neighborhood Enhancement, represent residential areas with aging housing stock, older industrial areas that are in need of reinvestment, and neighborhood commercial nodes that need assistance in meeting modern development standards. These areas are primarily located within the Terre Haute, West Terre Haute, Seelyville, and Riley.

In regards to residential neighborhoods that are in need of rehabilitation, they should receive priority efforts with respect to public improvements such as drainage, sidewalks, street, curb and gutter repair and replacement, and landscaping in the public rights-of-way. Where appropriate, new residential infill projects should be considered a high priority for undeveloped parcels. Over time incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.

Over time, it is reasonable to expect some displacement of existing industrial facilities, either because of functional and competitive obsolescence of facilities themselves or because corporate restructuring. As facilities are displaced, facility reuse plans or site redevelopment plans should be prepared. In some cases, industrial reuse or redevelopment may not be appropriate, for example in older core of the City of Terre Haute.

Neighborhood commercial areas are small scale, retail activity clusters or planned centers that serve limited market areas – typically 4,000 to 10,000 people. They provide shopping opportunities for those most frequently purchased goods and services. Neighborhood commercial areas should be distributed throughout the community in relationship to the distribution of households. Each neighborhood commercial center should be a master planned commercial development that is contained within a defined tract or land area. Auto ingress and egress must be controlled. Most importantly, these areas should relate to surrounding residential neighborhoods but not adversely impact the livability of those neighborhoods through traffic, lighting, noise, litter, or other impacts. They will require strong buffering and landscape regulations, as well as being architecturally harmonized and able to blend with their neighborhood context.

Additional policies for Neighborhood Enhancement Areas should include:

- Encourage infill development that is compatible with the land use mix and intensity of existing development.
- Support preservation and rehabilitation of historic properties.
- Incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.
- Identify areas that need sub-area plans and prioritize the development of those plans by area.
- Allow for a range of housing densities based on the zoning ordinance.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.

Street Access: S. 13th Street is a local level roadway

Dev. Priority: High intensity residential area.

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – C-2

East – C-2, R-1

South – R-1, C-2, M-1

West – C-3, R-1

Character of Area: There are many different land uses adjacent to this site. The R-1 zoning to the south and east are all businesses operating as legal nonconforming.

ZONING REGULATIONS

It is the purpose of this classification to provide for complete separation of residential and commercial areas, from industrial areas for the mutual protection of both industrial and residential, and commercial uses. It is recognized that for industrial growth, a reasonable excess of quality land must be held in exclusive reserve for industrial expansion. In the granting of special uses, this goal must be paramount in the consideration thereof and special uses not clearly of manufacturing or industrial nature must be incidental to an established industrial facility.

The Light Industrial zone classification provides for additional sites in a more densely developed area. It provides for those industries which are more compatible with densely developed, contiguous, residential and commercial uses and which can readily meet the industrial performance standards as contained in Sec. 10-143.

Uses, Permitted - M-1 Light Industry District.

The following uses are permitted, provided that all business, servicing, or processing shall take place within completely enclosed buildings, unless otherwise indicated hereinafter and except for establishments of the "drive-in" type offering goods or services directly to customers waiting in parked motor vehicles and off-street loading and parking as regulated in Sec. 10-137. Any production, processing, cleaning, servicing, testing, repair, or storage of material, goods, or products which shall conform with the performance standards set forth in Sec. 10-143 (except such uses as are specifically excluded), and which shall not be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust, or other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, glare or heat. Within three hundred feet (300') of a Residence District, all storage except of motor vehicles, shall be within completely enclosed buildings or may be located out-of-doors if

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #25-17

Doc: # 40

Date: June 7, 2017

Page 4 of 5

it is effectively screened by a solid wall or fence (including solid entrance and exit gates) as specified in Sec. 10-172 e. for junkyards.

The following is a list of approved uses of an M-1 zoning: Automobile laundries.

(3) Building materials sales, (4) Contractor or construction office, shops, and yards; such as: (A) Building. (B) Cement. (C) Electrical. (D) Heating, ventilating and air conditioning. (E) Roofing. (F) Masonry. (G) painting. (H) Plumbing. (I) Refrigeration. (5) Fuel and ice sales, if located in completely enclosed buildings. (6) Garages and parking lots, for motor vehicles. (7) Public utility and public service uses, including: (A) Bus terminals, bus garages, bus lots. (B) Electric sub-stations. (C) Fire stations. (D) Gas utility service sub-stations. (E) Police stations. (F) Railroad passenger stations. (G) Railroad rights-of-way. (H) Telephone exchanges, microwave relay towers, and water filtration plants. (I) Water filtration plants. (J) Water pumping stations. (K) Sewage or storm water pumping stations. (8) Signs as regulated in Sec. 10-141. (9) Trade schools. (10) Accessory uses.

FINDINGS and RECOMMENDATION

Staff Findings:

The Light Industrial zone classification provides for sites in a more densely developed area. It provides for those industries which are more compatible with densely developed, contiguous, residential and commercial uses and which can readily meet the industrial performance standards as contained in Sec. 10-143.

Any production, processing, cleaning, servicing, testing, repair, or storage of material, goods, or products at this location must conform with the performance standards set forth in Sec. 10-143 (except such uses as are specifically excluded), and which shall not be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust, or other particulate matter, toxic and noxious materials, odors, fire or explosive hazards, glare or heat.

Within three hundred feet (300') of a Residence District, all storage except of motor vehicles, shall be within completely enclosed buildings or may be located out-of-doors if it is effectively screened by a solid wall or fence (including solid entrance and exit gates) as specified in Sec. 10-172 e.

If the proposed use is to be applied at this location it should be able to comply with the development standards including all on site fabrication and storage of materials be

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #25-17

Doc: # 40

Date: June 7, 2017

Page 5 of 5

indoors and public parking areas must be paved. A detailed site plan must be submitted to the city for approval. Parking calculation must be included in the plan.

Recommendation:

Staff offers a Favorable Recommendation on the rezoning with the following conditions:

1. Approval of a detailed site plan by City Engineering.
2. All business, servicing, or processing occur completely within enclosed buildings